

# Secrets

## The Protracted Conflict

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IN BRITAIN last winter there was a public flap over the government's proposal to increase the allowance paid to the Queen for the conduct of her official duties. As one of their contributions to the fracas, leftwing stalwarts launched the demand that the government disclose the details of the Queen's personal fortune and private income. This the government declined to do.

However, anyone interested was able to satisfy his curiosity one February morning when *Morning Star*, the Communist Party's newspaper, published the information. Secret documents concerning the subject had been leaked from a source with access to them in their supposedly secure lair within the Department of Industry.

This leak bruised a particularly sensitive nerve in the British ethos, but there had been a number of others in the last several years, some of more moment to the national weal. A special Scotland Yard detail and more than a hundred security officers attached to the Ministry of Defense are busy trying to stop the leaks by locating and turning off the sources.

Those in charge of this plugging squad have noted that "they face a different situation from that in the 1950s and 1960s, when the main preoccupation was with espionage conducted on behalf of the Soviet bloc countries." Leaks of the *Morning Star* type, they figure, are designed primarily to "discredit the British government." "These people do not look on it as espionage," said one officer who kept his name unspoken. "If you said they were traitors to their country, they would deny it. They are not foreign agents, but simply people pursuing a left-wing philosophy." And he concluded with a sigh: "It is much more difficult to put a finger on them than on foreign agents."

### *Neither Traitor Nor Spy*

Obviously, these comments apply to the U.S. as readily as to Great Britain. In both countries, of course, there are still plenty of espionage agents leaking confidential material to their masters.

But in both—and in not a few others—there are also increasing numbers of persons with access to confidential material who, in a manner that used to be restricted to heads of government and cabinet members, leak it to the public at large. This kind of leakage, become common, has created problems of new kinds, for the solution of which existing administrative procedures, laws, and traditional attitudes are inadequate.

Although some of these new-style leaks do, as a matter of objective fact, give aid and comfort to hostile governments, neither the leakers nor those who publish their leaks are guilty of treason or of unlawful espionage as these crimes have been defined. The leakers, that is, are not traitors and not spies (not foreign spies, that is; some have been *our* spies). Many of them are accurately described as "subverters," since their motive for leaking is to subvert a government policy which they disapprove, or even, in some cases, the government itself. However, the most widely appropriate term is "dissenter." Whatever else they are up to, their leaks express their dissent from an action, policy, or procedure of the government or from the government in its entirety.

Dissenters have always been a headache for governments. For governments, dissenters are always a nuisance, and often a danger or what looks as if it could easily become a danger. So governments are prone to see dissenters as traitors, foreign agents, criminals, maniacs, or crackpots, under any of which interpretations there are established ways of dealing with them. In Stalin's time the Kremlin shot dissenters or threw them into labor camps, as traitors, foreign agents, and criminals; lately, it seems to prefer shutting them up as maniacs. Our government, burdened with a Constitution, Bill of Rights, Due Process, and all that, has more embarrassment in dealing with these political spoilsports.

The Department of Justice has been testing a new gimmick in its battle to suppress ex-CIA officer (and current dissenter) Victor Marchetti's leaks (in *The CIA and the Cult of Intelligence*): the claim that publication of classified matter by a government employee who

has had access to such matter is a breach of contract because in violation of the pledge all such employees sign as a condition of access. Sort of like nailing gangsters for income tax indiscretions. The Supreme Court's refusal, last month, to review a lower court's acceptance of this gimmick in the Marchetti case leaves it binding in that particular case but still open as a general legal principle. Whatever its juridical future, I am afraid it will prove even less effective in plugging all leakage than the income tax gimmick has been in wiping out all gangs.

### *How to Keep a Secret*

There is one way and only one to have an absolute guarantee against leaks, and that is by having no secrets. I will grant that a government has got to have a few secrets (and therefore *cannot* be absolutely guaranteed against leaks), but from the standpoint of the security and well being of the citizens, there is no need for even a hundredth part of the secrets every government jealously tries to hoard. Our own government's secrets (i.e., bits of information that are officially "classified") number in the billions and billions. The administrative and physical procedures used in trying to keep the secrets secret add billions of dollars yearly to the federal budget. Most of this enormous mass of expensive secrets is generated by a bureaucratic breeder-reaction process. It is a Parkinsonian tumor gone wild.

The hypertrophied secrecy habit is congenial to authoritarians and bureaucrats, but some of the others who become acquainted with it conclude that it is ridiculous or evil and probably both. They lose the feeling of respect that is the psychological guardian of the secrets, and are thus morally primed for leaking. Cut down to 1 per cent of its present size, the secrecy stockpile would be large enough to include everything that really needs to be hidden from us laymen. Thus shrunk, it would be a hundred times easier to protect—psychologically and politically as well as physically easier—from prying eyes and blabbing mouths. □